IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No.21793 of 2008
MD.NEJAM PERWAIZ @ NEJAM PERWAIZ
Versus
THE STATE OF BIHAR
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7 25.09.2008 A joint compromise petition has been filed on behalf of both the parties. Let it be kept on record.

Petitioner Md. Nejam Perwaiz @ Nejam Perwaiz and informant Nikhat Jabeen are present in court along with their respective lawyers.

It has been submitted by both the sides that the parties have settled the dispute out side the court and as per the terms and conditions, it was agreed that petitioner Md. Nejam Perwaiz @ Nejam Perwaiz shall pronounce divorce to informant Nikhat Jabeen and accordingly, he had pronounced divorce to the said Nikhat Jabeen. It has further been submitted that as per the compromise arrived at between the parties, the petitioner had to make payment of Rs. 3,75,000/- (Rupees three lac seventy five thousand) in lieu of Dower, maintenance of Iddat period and articles of gift handed over to the petitioner at the time of marriage.

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The learned advocate on behalf of the petitioner produced a Bank Draft of Rs. 3,75,000/- issued by Bank of India, B.C.P. Branch, Patna bearing no. 037869-00013000 dated 22.09.2008 in the name of Nikhat Jabeen for handing over the same to Smt. Nikhat Jabeen. It has further been submitted that since the date of divorce i.e. from 25.09.2008 Nikhat Jabeen shall not be the wife of petitioner Md. Nejam Perwaiz @ Nejam Perwaiz and in lieu of payment of Rs. 3,75,000/- no further dues will be claimed by Nikhat Jabeen. It has also been submitted that all the

criminal cases pending between the parties shall be withdrawn or compromised in view of the terms and conditions of the compromise petition filed before this court.

Considering the submission of both sides and on going through the terms and conditions of the compromise under the joint compromise petition filed by both the parties, it is desirable that the learned court below be directed to dispose of all the criminal cases pending between the parties i.e. Laheri P.S. Case no. 197 of 2007 and Complaint case no. 430-C/2008 pending before the court of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in terms of compromise. The learned Court below is also directed that if any party will create any hurdle in disposal of the cases, then he will take this matter seriously.

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Let a copy of the order be sent to the court of learned Chief Judicial Magistrate, Bihar Sharif in Laheri P.S. Case No. 197 of 2007 at the cost of the petitioner through FAX.

It is further ordered that the provisional bail granted to the petitioner is hereby confirmed.

It is further ordered that the demand draft of Rs. 3,75,000/- submitted by petitioner Md. Nejam Perwaiz @ Nejam Perwaiz will be handed over to informant Nikhat Jabeen, who is present in court.

The court below shall try to dispose of all the cases within a month or soon thereafter.

Uday/ **(Syed Md. Mahfooz Alam, J.)**